
STATUTORY INSTRUMENTS

1985 No. 2040

MARINE POLLUTION

**The Merchant Shipping (Prevention of Oil Pollution)
(Amendment) Regulations 1985**

Made - - - - - 20th December 1985
Coming into Operation 7th January 1986

The Secretary of State for Transport, in exercise of powers conferred on him by Article 3 of the Merchant Shipping (Prevention of Pollution) Order 1983 (a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulations 1985 and shall come into operation on 7th January 1986.

2. The Merchant Shipping (Prevention of Oil Pollution) Regulations 1983 (b) shall be amended as follows:—

(1) regulation 12(3) shall be replaced by the following:—

“(3) The provisions of paragraph (2) of this regulation shall not apply to the discharge of processed oily mixture, provided that all of the following conditions are satisfied:—

- (a) the oily mixture does not originate from cargo pump room bilges;
- (b) the oily mixture is not mixed with oil cargo residues;
- (c) the oil content of the effluent without dilution does not exceed 15 ppm; and
- (d) the ship has in operation oil filtering equipment complying with regulation 14(7).”;

(2) regulation 13(3) shall be replaced by the following:—

“(3) The provisions of paragraph (2) of this regulation shall not apply to the discharge of clean or segregated ballast or unprocessed oily mixture which without dilution has an oil content not exceeding 15 ppm and which does not originate from cargo room bilges and is not mixed with oil cargo residues.”;

(3) regulation 14(3)(a) shall be replaced by the following:—

“(a) the requirements of paragraphs (1) and (2) of this regulation shall not apply to any ship which is engaged exclusively on voyages:—

- (i) within special areas; or
- (ii) within 12 miles of the nearest land outside special areas, if the ship is either in trade between ports or terminals within the United Kingdom or on restricted voyages as determined by the Secretary of State;

(a) S.I. 1983/1106, amended by S.I. 1985/2002.
(b) S.I. 1983/1398.

provided that in respect of both sub-paragraphs (i) and (ii) all of the following conditions are complied with:—

- (aa) the ship is fitted with a holding tank having a volume adequate, to the satisfaction of the Secretary of State, for the total retention on board of the oily bilge water;
- (bb) all oily bilge water is retained on board for subsequent discharge to reception facilities;
- (cc) the Secretary of State has determined that adequate reception facilities are available to receive such oily bilge water;
- (dd) the IOPP or UKOPP Certificate is endorsed to the effect that the ship is exclusively engaged on the voyages specified in sub-paragraphs (i) or (ii) of this paragraph; and
- (ee) the quantity, time and port of the discharge are recorded in the Oil Record Book.”;

(4) the following sentence shall be added to the end of regulation 14(7):—

“Ships less than 10,000 GRT, other than those carrying large quantities of oil fuel or those discharging bilge water under regulation 16(3)(b) which are provided with oil filtering equipment in lieu of oily-water separating equipment need comply only so far as practicable and reasonable with 15 ppm alarm arrangements.”;

(5) regulation 15(5) shall be replaced by the following:—

“(5)(a) Paragraphs (1), (2) and (3) of this regulation shall not apply to any oil tanker which is engaged exclusively on voyages both of 72 hours or less in duration and within 50 miles of the nearest land, provided that:—

- (i) the oil tanker is engaged exclusively in trade between ports or terminals within the United Kingdom;
- (ii) the oil tanker retains on board all oily mixtures for subsequent discharge to reception facilities;
- (iii) the Secretary of State has determined that adequate facilities are available to receive such oily mixtures.

(b) The requirements of paragraph (3) of this regulation shall not apply to any oil tanker where:—

- (i) the tanker is an existing oil tanker of 40,000 deadweight tons or above, as referred to in regulation 22(1) of these Regulations, engaged in specific trade, and the conditions specified in regulation 22(2) are complied with; or

(ii) the tanker is engaged exclusively on voyages:—

(aa) within special areas, or

(bb) within 50 miles from the nearest land outside special areas where the tanker is engaged in:

(A) trade between ports and terminals within the United Kingdom; or

(B) restricted voyages as determined by the Secretary of State of 72 hours or less in duration;

provided that in respect of all such tankers to which this sub-paragraph (b)(ii) applies, all of the following are complied with:

(AA) all oily mixtures are retained on board for subsequent discharge to reception facilities;

(BB) for voyages specified in sub-paragraph (b)(ii)(bb) of this paragraph, the Secretary of State has determined that adequate reception facilities are available to receive such oily mixtures in those oil loading ports or terminals the tanker calls at;

(CC) the IOPP or UKOPP Certificate is endorsed to the effect that the ship is exclusively engaged in one or more of the categories of voyages specified in sub-paragraphs (b)(ii)(aa) and (b)(ii)(bb) of this paragraph; and

(DD) the quantity, time and port of the discharge are recorded in the Oil Record Book.”;

(6) in regulation 16(1), the word “and” shall be inserted before “the Black Sea area” (where that phrase first appears) and the words “the Red Sea area and the Gulfs area” and sub-paragraphs (d) and (e) (the definitions of those areas) shall be deleted;

(7) the title of regulation 24 shall be replaced by the following:—

“Segregation of oil and water ballast and carriage of oil in forepeak tanks”;

(8) after regulation 24(3) there shall be added the following paragraphs:—

“(4) In a ship of 400 GRT and above, for which the building contract is placed after 1st January 1982, or in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction after 1st July 1982, oil shall not be carried in a forepeak tank or a tank forward of the collision bulkhead.

(5) All ships other than those subject to paragraph (4) of this regulation shall comply with the provisions of that paragraph, so far as it is reasonable and practicable to do so.”;

(9) in regulation 28(6) “^vc” shall be replaced by “^vs”;

(10) the first phrase of regulation 29(5) shall be replaced by the following:—

“The master of every new oil tanker and the person in charge of a new non-self-propelled oil tanker to which these Regulations apply shall be supplied by the owner with:”;

(11) regulation 30(2) shall be replaced by the following:—

“(2) Unless the discharge is one specified in regulation 11, any offshore installation when so engaged shall not discharge into any part of the sea:—

(a) outside special areas and 12 or more miles from the nearest land, any oil or oily mixtures with an oil content of 100 ppm or more;

(b) in any special area or within 12 miles of the nearest land, any oil or oily mixtures with an oil content of 15 ppm or more.”;

(12) after regulation 34(3) there shall be added the following paragraph:—

“(4) Where an offence under this regulation is committed, or would have been committed save for the operation of paragraph (3), by any person due to the act or default of some other person, that other person shall be guilty of the offence, and a person may be charged with and convicted of an offence by virtue of this paragraph whether or not proceedings are taken against the first-mentioned person.”.

Nicholas Ridley,
Secretary of State for Transport.

20th December 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Merchant Shipping (Prevention of Oil Pollution) Regulations 1983. They give effect to the amendments to the Annex of the 1978 Protocol relating to the International Convention for the Prevention of Pollution from Ships 1973 adopted on 7th September 1984 by the Maritime Environmental Protection Committee ("MEPC") of the International Maritime Organization at its 20th Session. They also provide that persons other than owners and masters who cause breaches of the Regulations themselves commit offences under the Regulations and delete the Red Sea and Gulfs Areas from the list of special areas to which stricter discharge requirements apply.

The principal amendments made by the MEPC are:—

- (1) to modify the conditions under which an oily mixture having an oil content without dilution not exceeding 15 parts per million can be discharged;
- (2) to modify and relax the requirements for the fitting of:—
 - (i) oily-water separating equipment, bilge monitoring equipment and oil filtering equipment to those ships engaged exclusively on voyages within 12 miles of land; and
 - (ii) ballast monitoring equipment to those oil tankers engaged exclusively on voyages within 50 miles of land.
- (3) to prohibit the carriage of oil in a forepeak tank or a tank forward of the collision bulkhead; and
- (4) to modify the discharge provisions as they apply to offshore installations.

The amendments adopted by MEPC are contained in Resolution MEPC 14(20), which may be obtained from IMO, 4 Albert Embankment, London SE1 7SR.